

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
MARCH 5, 2007

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:07 PM, Monday, March 5, 2007 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Jim Nelson.

The opening prayer was given by Mayor Pro-Tem Taylor.

The Pledge of Allegiance was led by Mayor Nelson.

Roll Call of Members: Present: Mayor Nelson, Mayor Pro-Tem Taylor,
Councilman Fousek and Councilman Parker

Absent: Councilwoman Schutte

VISITORS: (Tape A670-1150)

NOTE: Prior to the Council Meeting, the "Oath of Office" was administered to Steve Marriott by the City Clerk, Steve was appointed Interim City Manager on February 20, 2007.

Mr. Jack Lonsinger, President of Liberty Carbon Service, Inc., addressed the Council. Mr. Lonsinger stated that the City has lost a couple of people recently and one person was "Premier". This person is Rex Brinker, former Director of Public Works. He stated that Rex was a premier leader, very knowledgeable, had great vision, more bang to the buck, and could get more things done...he was a tremendous asset to the City. Mr. Lonsinger would like for the Council to see if they could reverse the action of letting Rex resign and try to get him back.

Mr. Ron Prewitt, owner of Ray's Lunch, stated he doesn't know why Rex is not here but a lot of communities around want Rex. He would like to meet the person who will take Rex's job and see if he is as knowledgeable as Rex. Asked the Council to go back and look at the situation and if they can get him back it would be great.

MINUTES OF REGULAR COUNCIL MEETING HELD ON FEBRUARY 20, 2007: (Tape A1151-1162)

Councilman Fousek made a motion to approve the Minutes of the Regular Council Meeting held on February 20, 2007. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Taylor, Nelson

Nays: None, motion carried.

Minutes of February 20, 2007 passed and approved March 5, 2007.

CONSIDERATION OF AGENDA: (Tape A1163-1189)

Councilman Fousek stated he would like to remove Item #7, Discussion of Environmental Services Director, from the Agenda in order to search for more information.

Councilman Fousek then made a motion to approve the Agenda, as amended. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Fousek, Parker, Taylor, Nelson

Nays: None, motion carried.

Amended Agenda passed and approved March 5, 2007.

POLICE OFFICER RECOGNITION: (Tape A1190-1401)

Police Chief John McGovern stated it is the Police Department's tradition to honor an outstanding Police Department employee each year. He then introduced Independence Police Chief Fred Mills.

Chief Mills stated that on December 25 there was an incident at an AMC movie theater in Independence where Detective Howell noticed a disturbance in the lobby of the theater...a person was brandishing a 357 revolver. Excelsior Springs Police Officer John Syme was at the theater and offered his assistance to Det. Howell. Officer Syme assisted the Independence Police Officer by keeping the crowd back, helping to talk down the assailant and getting him into handcuffs. Chief Mills commended Officer Syme's bravery for stepping up. He also presented to Officer Syme the Independence Police Department's highest award...making him an honorary member of the Independence Police Department.

Officer Syme was given a standing ovation by the crowd present at the Council Meeting.

ORDINANCE #07-3-1, HISTORIC DISTRICT: (Tape A1402-1650)

Matt Tapp, Planning Director, briefed the Council on this Ordinance. He stated this is based on the recommendations of the Historic Commission and that the Hall of Waters District be given a Certificate of Appropriateness.

Councilman Fousek made a motion to approve Ordinance #07-3-1, approving the creation of a Hall of Waters Historic District for the City of Excelsior Springs, Missouri. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Fousek, Parker, Taylor, Nelson

 Nays: None, motion carried.

Ordinance #07-3-1 passed and approved March 5, 2007.

ORDINANCE #07-3-2, WORNALL ESTATES DEVELOPMENT: (Tape A1651-1930)

Once again, Matt Tapp briefed the Council on this Ordinance.

Councilman Parker made a motion to approve Ordinance #07-3-2, amending the official zoning map of the City of Excelsior Springs from C-O, Non-Retail Business District, to CP-O, Planned Non-Retail Business District. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Parker, Fousek, Taylor, Nelson

 Nays: None, motion carried.

Ordinance #07-3-2 passed and approved March 5, 2007.

ORDINANCE #07-3-3, HURST RESCUE EQUIPMENT: (Tape A1931-2000, B1-17)

Kent Cantrell, Deputy Fire Chief, was on hand to answer the Council's questions on this Ordinance.

Councilman Parker made a motion to approve Ordinance #07-3-3, authorizing the Fire Chief to enter into an agreement with Towers Fire Apparatus Co. for the purchase of Hurst Rescue Equipment at a total cost of \$32,155.88. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Fousek, Parker, Taylor, Nelson

 Nays: None, motion carried.

Ordinance #07-3-3 passed and approved March 5, 2007.

PURCHASE OF MOBILE DATA TERMINALS: (Tape B18-B109)

Sgt. Clint Reno advised the Council that this purchase of three units for police cars at a cost of \$21,916.00 would allow Officers to type in their police reports while still out in the field rather than sitting in the police station. The purchase has been approved by the Public Safety Sales Tax Committee.

Councilman Parker made a motion to authorize the purchase of three (3) Mobile Data Terminals and associated equipment from Public Safety Sales Tax funds. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Parker, Fousek, Taylor, Nelson

Nays: None, motion carried.

Expenditure of \$21,916 for Mobile Data Terminals passed and approved March 5, 2007.

ORDINANCE #07-3-4, VINTAGE PLAZA TIF LEGAL & PROFESSIONAL FEES: (Tape B110-140)

Steve Marriott advised the Council that this will be paid out of the amount of money collected.

Councilman Fousek made a motion to approve Ordinance #07-3-4, accepting the amount of legal fees set forth in the certificate of reimbursable project costs relating to the Vintage Plaza Tax Increment Financing Plan. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Fousek, Taylor, Nelson

Abstain: Parker

Nays: None, motion carried.

Ordinance #07-3-4 passed and approved March 5, 2007.

APPROPRIATIONS ORDINANCE #07-3-5: (Tape B141-184)

Councilman Fousek made a motion to approve Appropriations Ordinance #07-3-5, in the amount of \$568,040.65. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Parker, Fousek, Taylor, Nelson

Nays: None, motion carried.

Appropriations Ordinance #07-3-5 passed and approved March 5, 2007.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape B185-429)

Interim City Manager Marriott:

1. Would like to thank all departments for their support and help.
2. FYI there is a roof leak above the water bar, the contractor has been in and repaired it.
3. Will need contractor to repair ceiling.
4. Clay Co. CDC Meeting will be March 15.

Mayor Pro-Tem Taylor:

1. Thanked visitors who addressed the Council...Rex was great leader and you can tell by the mark he left.
Thanked employees and staff who are carried the load...he appreciates this, you are doing a fabulous job.
2. Had a great time bowling Friday night. Every department was represented.
3. Haven't been too pleased with the newspaper's perception of the City...we are still a team and will go through this speed bump together.
4. Advised the public that there is more than one person who will be finding the new city manager.

Councilman Fousek:

1. Only had one strike and Friday was the first one. Friday night's event is a perfect example of the city's transition. Is proud of each and every employee...they have done their jobs in an exemplary manner. By the Police Department getting an award from another city shows what good people we have hired.
2. The Council is unified in getting the best candidate for city manager. The transition team of John McClelland, John McGovern and the Mayor are doing a good job.

Mayor Nelson:

1. Agrees with a lot that has already been said. Does appreciate citizens input...but to quote Colin Powell...will listen to everything before the fact...after the fact lets get on with it.

With no further business at hand, the Mayor asked for a motion to go into closed session.

Councilman Fousek made a motion to adjourn the Regular Council Meeting and go into closed session pursuant to Missouri State Statutes 610.021 (3) Personnel. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Parker, Fousek, Taylor, Nelson

 Nays: None, motion carried.

Regular Meeting adjourned at 7:00 PM.

ATTEST:

JIM NELSON, MAYOR

FRANCES SMITH, CITY CLERK